

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

GREEN MEDICAL MARKETING LLC,  
Plaintiff(s),  
v.  
MICHAEL A. SNAVELY,  
Defendant(s).

Case No.: 2:20-cv-01298-APG-NJK

**Order**

[Docket Nos. 7-8]

Pending before the Court are Plaintiff's motions to extend the time to serve Defendant and to approve service as outlined in N.R.S. 14.090. Docket Nos. 7-8. No response has been filed. The motions are properly decided without a hearing. *See* Local Rule 78-1. For the reasons discussed more fully below, the motion to extend time is **GRANTED** and the motion for alternative service is **DENIED** without prejudice.

**I. MOTION TO EXTEND TIME FOR SERVICE**

Where good cause is shown, the time for serving the complaint is extended for an appropriate period. *See* Fed. R. Civ. P. 4(m). The motion establishes sufficient cause to extend the time for effectuating service by 60 days from the issuance of this order.

**II. MOTION TO AUTHORIZE ALTERNATIVE SERVICE**

Plaintiff next seeks an order that it be allowed to effectuate service in accordance with a state law provision regarding service at a residence accessible only by a gate. Docket No. 8 at 4-5. This motion will be denied without prejudice.

First, no legal authority has been presented providing standards or guidance as to when a federal court may direct service be conducted in Plaintiff's desired manner. Instead, the motion provides a block quotation of the federal rule that state law governs service and then provides a

1 block quotation of the state law provision for service in gated communities. *Id.* What is missing  
2 is meaningful discussion explaining why it would be proper in this case for the Court to order that  
3 service may be effectuated in the manner described. Absent such meaningful discussion, the Court  
4 declines to reach the issue. *See Kor Media Grp., LLC v. Green*, 294 F.R.D. 579, 582 n.3 (D. Nev.  
5 2013).

6 Second, it appears the motion may be premature. Plaintiff's counsel attests that he emailed  
7 Defendant's attorney about accepting service electronically a few days prior to filing the instant  
8 motion. *See* Docket No. 8-1 at ¶ 8. There is a strong preference for waiver of service, accompanied  
9 by consequences for a defendant's failure—without good cause—to do so. Fed. R. Civ. P. 4(d).  
10 It does not appear that Plaintiff's efforts at obtaining a waiver have run their course.

### 11 **III. CONCLUSION**

12 For the reasons discussed above, the motion to extend time is **GRANTED** and the motion  
13 for alternative service is **DENIED** without prejudice.

14 IT IS SO ORDERED.

15 Dated: November 2, 2020

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19 Nancy J. Koppe  
20 United States Magistrate Judge  
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